44. (Amended) The ~~method~~ library of claim 1, wherein the first nucleotide sequence encodes a heavy chain variable region of a first human immunoglobulin, and the second nucleotide sequence a light chain variable region of a second human immunoglobulin gene different from the first human immunoglobulin.

REMARKS

The present Amendment is in response to the Examiner's Final Office Action mailed September 25, 2001. Claims 1-9, 13-29 and 35-44 are pending.

Applicants express appreciation to the Examiner for conducting a telephone interview with Applicants on December 7, 2001. Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**Version with markings to show changes made**."

1. Rejections under 35 U.S.C. § 112, First Paragraph

1) Rejection based on *Eli Lilly*

The Examiner rejects claims 1-9, 13-15, 22-27 and 35-38 under 35 U.S.C. § 112, First Paragraph for insufficient written description. The Examiner bases the rejection on the court decision of *The Regents of the University of California vs. Eli Lilly and Company 119 F.3d 1559 (Fed. Cir., 1997)*. Specifically, the Examiner alleges that "applicant does not have a single example of a yeast expression library within the scope of the presently claimed invention".

During the interview, the Examiner agreed that *Eli Lilly* is inapplicable to the present claim of the invention. Under *Eli Lilly*, a claim lacks adequate written description if it is directed to **a nucleotide sequence** encoding a protein (e.g., insulin) without providing the actual cDNA sequence in the specification. In contrast, Applicants claim **a library of yeast expression vectors** encoding a library of fusion proteins (e.g., human antibodies). The Specification provides ample examples of what the library is and how to construct the library of yeast expression vectors using the cDNA library of antibodies amplified from various sources such as B cells contained in peripheral blood supplied by naive humans. See the Specification under "Example", pp104-120. Thus, independent claim 1 is supported by sufficient written description under 35 U.S.C. § 112, First Paragraph. Withdrawal of this ground of rejection is respectfully requested.

2) Rejection of claims 13 and 39-44